



IFW

CASE GT/3-21923/A/AC 533/CONT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dolores DeCarmine  
Type or print name

Dolores DeCarmine  
Signature

8/11/04  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: 1711

ANNE FLISHER ET AL.

Examiner: S. Berman

APPLICATION NO: 10/791,012

FILED: MARCH 2, 2004

FOR: POLYMERISATION PROCESS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

LETTER CORRECTING FILING RECEIPT

Sir:

Applicants review of the present Continuation Application mentions an inconsistency in the filing receipt as below:

**Domestic Priority data as claimed by applicant**

This application is a CON of 09/890,129 08/02/2001\*

Which is a 371 of PCT/EP01/00391 01/15/2001

(\*) Data provided by applicant is not consistent with PTO records.

The Applicants believe this to be a PTO error for the following reasons:

1. The date of Express mailing for the abandoned parent 09/890,129 is clearly marked on the receipt postcard. A copy of the receipt postcard for the parent is enclosed. The receipt

postcard indicated that the parent should have been accorded the original filing date of July 27<sup>th</sup>, 2001.

2. Applicants are also enclosing the Notice of Acceptance of Application under 35 USC 371. Applicants point to the inconsistency in the Date of Receipt of all 35 USC Requirements (July 27, 2001) and Date of Receipt of 35 USC 371( c)1, (c )2 and (c )4 (August 2, 2001).However all the items listed under (c )1, (c )2 and (c )4 are indicated as being received. Therefore, Applicants believe the date accorded to the filing of the parent should be the date on the Express mailing receipt postcard.

So, therefore, no inconsistency should be mentioned. Please issue a corrected filing receipt removing the phrase “(\*) Data inconsistent with PTO records”. The corrected filing receipt should read:

**Domestic Priority data as claimed by applicant**

This application is a CON of 09/890,129 07/27/2001

Which is a 371 of PCT/EP01/00391 01/15/2001

Enclosed please find a substitute Declaration and Power of Attorney. The previously filed Declaration and Power of Attorney failed to identify the correct International Application No. filed on January 15, 2001. The substitute Declaration corrects the original error in the parent, 09/890,129, filed July 27, 2001.

Applicants believe this is a clerical error ascribable to the Patent Office. Accordingly, no fee is required. However, if this is incorrect, the Commissioner is hereby authorized to charge any fee necessary under 37CFR 1.19 and any additional fees that may be required to Deposit Account 03-1935.

Respectfully submitted,



Ciba Specialty Chemicals Corporation  
540 White Plains Road  
Tarrytown, New York 10591  
(914) 785-2784  
SAL21923\_cont\_sd.doc

Tyler Stevenson  
Agent for Applicants  
Reg. No. 46,388

Enclosures: Substitute Declaration UNDER 1.67, copy of receipt postcard filed by Express Mail for parent application, copy of Notice of Acceptance of Application Under 35 USC 371 for parent.

AUG 11 2004

# BEST AVAILABLE COPY

Page 1 of 2

Commissioner For Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20231, www.uspto.gov



U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

09/890,129

Anne Flisher

000324

CIBA SPECIALTY CHEMICALS CORPORATION  
PATENT DEPARTMENT  
540 WHITE PLAINS RD  
P O BOX 2005  
TARRYTOWN, NY 10591-9005

**RECEIVED**

OCT 26 2001

ANDREA DECECHIS  
DOCKET COORDINATOR  
PATENT DEPARTMENT

Date Mailed: 10/11/2001

INTERNATIONAL APPLICATION NO.

PCT/EP01/00391

I.A. FILING DATE

01/15/2001

PRIORITY DATE

01/28/2000

CONFIRMATION NO. 1828

371 ACCEPTANCE LETTER



\*OC00000008857635\*

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.494 OR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated Office (37 CFR 1.494), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

08/02/2001

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
(c)(4) REQUIREMENTS

07/27/2001

DATE OF RECEIPT OF ALL 35 U.S.C.  
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- U.S. Basic National Fee
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

*Copy sent to Bradford  
10/31/01*

*GT/3-21923/A AC 533/PCT*

**BEST AVAILABLE COPY**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

---

PATRICIA A BOOKER  
Telephone: (703) 305-3738

**PART 1 - ATTORNEY/APPLICANT COPY**



# REST AVAILABLE COPY

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/791,012	03/02/2004	1713	770	GT/3-21923/A/AC/ 533/CONT		13	2

CONFIRMATION NO. 1286

000324  
CIBA SPECIALTY CHEMICALS CORPORATION  
PATENT DEPARTMENT  
540 WHITE PLAINS RD  
P O BOX 2005  
TARRYTOWN, NY 10591-9005

**RECEIVED**

JUN 1 2004

ANDREA DECECCCHIS  
DOCKET COORDINATOR  
PATENT DEPARTMENT.

FILING RECEIPT



\*OC000000012770869\*

Date Mailed: 05/25/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

### Applicant(s)

Anne Flisher, Halifax, UNITED KINGDOM;  
Gareth Ian Naylor, Halifax, UNITED KINGDOM;  
Lee Raistrick, Bradford, UNITED KINGDOM;

### Domestic Priority data as claimed by applicant

7/27/2001

This application is a CON of 09/890,129 08/02/2001\*  
which is a 371 of PCT/EP01/00391 01/15/2001

(\*Data provided by applicant is not consistent with PTO records. *delete*)

### Foreign Applications

UNITED KINGDOM 0001883.8 01/28/2000

If Required, Foreign Filing License Granted: 05/24/2004

Projected Publication Date: 09/02/2004

Non-Publication Request: No

Early Publication Request: No

GT13-21923/A/AC 533/CONT

**BEST AVAILABLE COPY**

**Title**

Polymerisation process

**Preliminary Class**

520

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).